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| 09/833,431 | 04/12/2001 | Kristin S. Meyer | 13DV13933 | 5279 |
| 31450 | 7590 | 11/19/2004 | EXAMINER | |
| MCNEES WALLACE & NURICK LLC 100 PINE STREET P.O. BOX 1166 HARRISBURG, PA 17108-1166 | | | SHIN, KYUNG H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2143 | |

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/833,431

Applicant(s)

MEYER ET AL.

Examiner

Kyung H Shin

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7/18/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responding to application papers dated 4/12/2001
2. Claims **1 - 20** are pending. Independent claims are **1, 11, 20**.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 4-9, 11, 14-17, 19, 20** are rejected under 35 U.S.C. 102(e) as being unpatentable over **Schultz et al. (US 6,453,339)**.

Regarding Claim 1, Schultz discloses a system for tracking and displaying module usage in a portal for a computer network, the system comprising:

- a) a server computer having a memory device; (see col. 2, lines 57-61: server system with storage or memory device)
- b) a client computer being connected to the server computer; (see col. 2, lines 63-65: data entry device or client system)

- c) a portal stored in the memory device of the server computer and accessible by a user from a client computer, the portal comprising a plurality of modules; (see col. 1, lines 48-51: present a plurality of information sources; col. 3, lines 19-23: information organized into channels)
- d) means for monitoring selection of a module of the plurality of modules by a user on a client computer; (see col. 4, lines 44-45: server monitors requests input using user interface; col. 3, lines 30-34: user selects data from information sources)
- e) means for collecting information on a user selecting a module of the plurality of modules; (see col. 12, lines 22-29: user information within profile)
- f) a database stored in the memory device of the server computer, the database storing the collected information for each module of the plurality of modules; (see col. 1, lines 56-63; col. 9, lines 15-20: repository or database for information storage)
- g) means for retrieving information for a particular module from the database on a request from a user; (see col. 3, lines 30-34: user interface to select information) and
- h) means for displaying the retrieved information to a user on a client computer. (see col. 2, lines 57-61: display information using data entry device or client user interface)

Regarding Claim 4, Schultz discloses the system of claim 1 wherein:

a) the portal is customizable by each user to include modules selected by a user; (see col. 3, lines 26-29: user creates own channels; col. 3, lines 44-46: user can customize interface display) and
the means for monitoring selection of a module further comprises:

- a.1) means for detecting accessing of a module by a user; (see col. 4, lines 44-45: server processes client requests; col. 3, lines 30-34: user interface used to access information)
- a.2) means for detecting addition/removal of a module to the portal by a user; (see col. 6, lines 63-64: creation or addition, deletion or removal of information source or channel) and
- a.3) means for detecting movement of a module in the portal by a user. (see col. 6, lines 63-64: move information source, delete then re-create a channel)

Regarding Claims 5, 15, Schultz discloses the system of claim 4, 14 wherein the retrieved information includes at least one of a number of unique users of the particular module, a number of accesses of the particular module, a number of users adding the particular module to the portal and a number of users removing the particular module from the portal. (see col. 15, lines 40-40: access logs for channel or information source)

Regarding Claims 6, 19, Schultz discloses the system of claim 1, 9 wherein the means for retrieving information for a particular module comprises means for selecting an

Art Unit: 2143

appropriate command in the particular module. (see col. 6, lines 53-55: call or command for processing of information)

Regarding Claim 7, Schultz discloses the system of claim 1 wherein the means for collecting information on a user includes means for extracting data from a user profile of a user. (see col. 12, lines 22-29: extract user information from profile)

Regarding Claim 8, Schultz discloses the system of claim 1 further comprising means for retrieving information from the database for all modules of the plurality of modules. (see col. 9, lines 15-20: retrieve information from repository or database which contains all information sources)

Regarding Claims 9, 17, Schultz discloses the system of claims 1, 11 wherein each module of the plurality of modules is written in Java Server Pages. (see col. 3, lines 34-37: Java Server Pages, applets processed by server)

Regarding Claim 11, Schultz discloses a computer program product embodied on a computer readable medium and executable by a computer for tracking and displaying usage of components of a computer network portal customizable by each user, the computer program product comprising:

Art Unit: 2143

- a) means for monitoring selection of a component of a computer network portal by a user; (see col. 4, lines 44-45; col. 3, lines 30-34: server processes and monitors requests)
- b) means for collecting information on a user selecting a component of the computer network portal; (see col. 12, lines 22-29: extract user information from profile)
- c) a database to store the collected information for each component of the computer network portal; (see col. 1, lines 56-63; col. 9, lines 15-20: repository or database for information storage)
- d) means for retrieving information for a particular component from the database on a request from a user; (see col. 3, lines 30-34) and
- e) means for displaying the retrieved information to a user. (see col. 2, lines 57-61: display information using data entry device or client user interface)

Regarding Claim 14, Schultz discloses the computer program product of claim 11

wherein the means for monitoring selection of a component further comprises:

- a) means for detecting accessing of a component by a user; (see col. 4, lines 44-45: server processes user requests)
- b) means for detecting addition/removal of a component to the computer network portal by a user; (see col. 12, lines 2-7: create, modify, delete channels ; col. 6, lines 63-64) and

- c) means for detecting movement of a component in the computer network portal by a user. (see col. 6, lines 63-64: move information source, delete then re-create a channel)

Regarding Claim 16, Schultz discloses the computer program product of claim 11 wherein the means for collecting information on a user includes means for detecting data relating to a user each time a user selects a component of the computer network portal. (see col. 12, lines 22-29: collect user information from profile)

Regarding Claim 20, Schultz discloses a method for tracking and displaying module usage in a portal for a computer network, the method comprising the steps of:

- a) providing a portal having a plurality of modules, wherein the portal being customizable by each user of the portal; (see col. 1, lines 48-51: present a plurality of information sources ; col. 3, lines 19-23: information organized into channels)
- b) monitoring selection of a module of the plurality of modules by a user; (see col. 4, lines 44-45: server monitors requests input using user interface; col. 3, lines 30-34: user selects data from information sources)
- c) extracting data from a user profile of a user of the selected module of the plurality of modules; (see col. 12, lines 22-29: extract user information from profile)
- d) collecting information on a user selecting a module of the plurality of modules; (see col. 12, lines 22-29 collect user information from profile)

Art Unit: 2143

- e) storing the collected information for each module of the plurality of modules in a database; (see col. 1, lines 56-63; col. 9, lines 15-20: repository or database for information storage)
- f) retrieving information on a particular module from the database based on a criterion designated by a user, wherein the criterion is one of a community, a browser, a country, an index page, a location, a manager and an operating system; and displaying the retrieved information to a user on a computer, wherein the retrieved information includes at least one of a number of unique users of the particular module, a number of accesses of the particular module, a number of users adding the particular module to the portal and a number of users removing the particular module from the portal. (see col. 3, lines 30-34: user retrieves information; col. 15, lines 40-40: access information for a channel)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2143

6. **Claims 10, 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schultz et al. (US 6,453,339) in view of Pasquali (US 6,272,493).**

Schultz discloses a portal server system providing client access to a plurality of information sources. (see Schultz col. 1, lines 46-51: “ ... *a system and method is described for presenting data from a plurality of sources to a user ... a plurality of information sources, a user interface, content storage and a server connected to the user interface and the content storage...* ”)

Regarding Claims 10, 18, Schultz does not specifically disclose an electronic data network utilizing Intranet techniques. However Pasquali discloses the system of claims 1 wherein the server computer and the client computer are connected by an Intranet. (see col. 23, lines 6-12) Intranets are a standard network configuration to construct a protected network environment for an enterprise or corporation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz to utilize intranet technology as taught by Pasquali. One of ordinary skill in the art would be motivated to enhance Schultz in order to strengthen security for network data processing techniques. (see Pasquali col. 3, lines 54-57: “ ... *providing access to network content ... enhance network (world wide web--WWW) use ...* ”; col. 4, lines 16-20: “ ... *a server system that is configured to serve a software system and associated content via an electronic data network such as the Internet ...* ”)

7. **Claims 2, 3, 12, 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schultz et al. (US 6,453,339) in view of Beck et al. (US 6,381,640).**

Regarding Claims 2, 12, Schultz does not disclose a sort process for a portal type system based on input parameters. However Beck discloses the system of claims 1, 11 wherein the means for retrieving information for a particular module comprises means for sorting the stored information for the particular module based on a criterion designated by a user. (see col. 52, lines 7-9: sort information based on input parameter) Sort techniques are standard practices to order information before presentation on display devices for user inspection.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz to utilize sort technology to process information as taught by Beck. One of ordinary skill in the art would be motivated to enhance Schultz in order to strengthen data processing techniques. ((see Beck col. 1, lines 14-18: “ ... *in the field of telecommunication encompassing all existing sorts ... methods and apparatus for personalizing and presenting workload assignments to agents ...* ” ; col. 42, lines 56-59: “ ... *organize the secondary interactions according to identification parameters, add a time stamp, and sort according to chronological order ...* ”)

Regarding Claims 3, 13, Schultz does not disclose a sort process for a portal type system. However Beck discloses the system of claims 2, 12 wherein the criterion is one of a community of a user, a browser of a user, a country of a user, an index page of a

Art Unit: 2143

user, a location of a user, a manager of a user and an operating system of a user. (see col. 42, lines 56-59: sort based on identification parameters such as community of user)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schultz to utilize sort technology to process information as taught by Beck. One of ordinary skill in the art would be motivated to enhance Schultz in order to strengthen data processing techniques.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/833,431
Art Unit: 2143

Page 12

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Patent Examiner
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11/14/04

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